

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

THE CITY OF KANSAS CITY, MISSOURI)	
)	
Plaintiff,)	
)	
vs.)	Case No. 05-00368-CV-W-GAF
)	
HOUSING & ECONOMIC DEVELOPMENT)	
FINANCIAL CORPORATION,)	
)	
Defendant.)	

ORDER ESTABLISHING CLAIMS PROCESS

Presently before the Court is the Recommendation of the Receiver (“Receiver Recommendation”) (Doc. 82) filed with this Court pursuant to the Court’s order appointing the Receiver (Doc. 48). Having determined that substantial and numerous claims are pending against the Defendant Housing and Economic Development Financial Corporation (“HEDFC”), the Receiver has recommended that a claims process be established for all creditors and interested parties in order to facilitate the resolution of all such claims.

The Court being fully advised in the premises, finds that the establishment of a claims process is necessary for the administration of HEDFC and, further, that establishment of a claims determination process is the most efficient and economical approach to determining the obligations of HEDFC.

Accordingly, it is hereby ORDERED that:

1. All persons and concerns who believe they have claims against HEDFC are to file their Proofs of Claim with the Clerk of this Court on or before November 1, 2005. All claims filed on or before

November 1, 2005, will be considered timely filed claims. All claims filed after November 1, 2005, will be considered tardily filed claims.

2. All claims are to be filed with the Clerk of the Court at the following address:

Clerk of the Court
United States District Court for the Western District of Missouri
Charles Evans Whittaker Courthouse
400 E. 9th Street
Kansas City, Mo 64106

with copies to be provided to:

David E. Bahner, Receiver
Housing and Economic Development
Financial Corporation
4001 Blue Parkway, Suite 250
Kansas City, MO 64141

Thomas J. O'Neal
Shughart Thomson & Kilroy, P.C.
Twelve Wyandotte Plaza
120 West 12th Street
Kansas City, MO 64105

3. The Proof of Claim form which was submitted with the Receiver Recommendation and is attached to this Order is hereby approved. All creditors are directed to use this Proof of Claim form in filing a claim against HEDFC.

4. The Receiver is to mail a copy of this order and the Proof of Claim form to all creditors and interested parties known by the Receiver. In addition, the Receiver is hereby ordered to publish the Notice of Bar Order in the Kansas City Star on two occasions, using the proposed Notice which is attached to the Receiver Recommendation.

5. The Receiver and all creditors and interested parties may file objections to any claims. All objections to any claims must be in writing and filed with the Clerk of the Court with a copy of the objection served upon the Receiver and the claimant. All objections to claims must be filed on or before December

1, 2005. If no objection is filed to any claim on or before December 1, 2005, the claim is deemed allowed.

6. In the event there are objections filed to any claims, the Court will, at a later date, appoint a Magistrate who will hold hearings on all objections to claims and make recommendations to the Court concerning the claims.

IT IS SO ORDERED.

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
United States District Court

DATED: August 16, 2005